

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Prisons Department – Sri B.Laxminarasaiah, District Sub Jails Officer, Guntur – Review petition against the punishment awarded by the Director General and Inspector General of Prisons and Correctional Services, AP, Hyderabad – Allowed –Orders – Issued.

HOME (PRISONS) DEPARTMENT

G.O.RT.NO. 763

DATED: 25-03-2013

Read the following:-

1. Proceedings of the Director General and Inspector General of Prisons & Correctional Services, A.P., Hyderabad No.EB3/587/2008-1, dated 20-03-2010.
2. Government Memo No.20352/Pri/A1/2011-1, dated 24-09-2011.
3. From the Director General of Prisons and Correctional Services, A.P., Hyderabad, Lr.No.Estt(G3)/79/2011, dated 15-02-2012.
4. Representation from Sri B.Laxminarasaiah, formerly Superintendent, District Jail, Anantapur, presently DSJO, Guntur, dated Nil.

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ORDER:

Whereas Sri. Julakanti Srinivasa Reddy alias Moddu Srinu, Convict Prisoner No.2123 was killed in District Jail, Anantapur on 09-11-2008 by another co-prisoner by beating with a dumb-bell. A discreet enquiry has been ordered and punishments were imposed against the (05) erred staff, who exhibited negligence in duties. The following articles of charge were framed against Sri.B. Laxminarasaiah the then Superintendent, District Jail, Anantapur:

ARTICLE-I

“That Sri B.Laxminarasaiah, Deputy Superintendent (under suspension) while working as Superintendent, District Jail, Anantapur failed to carry out searches and not maintained internal intelligence which resulted in possession of a prohibited article “DUMB BELL” and it was used as a weapon by a co-prisoner on the early morning of 09-11-2008 to murder Julakanti Srinivasa Reddy @ Moddu Srinu. It amounts to gross negligence and violation of Rules 274 & 277 of A.P.Prison rules, 1979 and Rule-3 of A.P.Civil Services (Conduct) Rules, 1964 and Head Office Circular Memos issued from time to time.

ARTICLE-II

“That Sri B.Laxminarasaiah, Deputy Superintendent (under suspension) while working as Superintendent, District Jail, Anantapur failed to categorize and segregate the prisoners and not maintained Barrack Attendance Register and also not followed the instructions of superior officers and in the result two most dangerous prisoners were confined in the same barrack and the murder of Julakanti Srinivasa Reddy by a co-prisoner on 09-11-2008. It amounts to gross dereliction of duties and disobedience to the orders of superior officers as well as violation of the Rules noted in Chapter XVII and Rule 861 (11) of A.P.Prison Rules, 1979 and Rule-3 of A.P.Civil Services (Conduct) Rules, 1964 and Head Office Memo No.56/SB2/2004, dated 20-01-2004.

P.T.O

ARTICLE-III

“That Sri B.Laxminarasaiah, Deputy Superintendent (under suspension) while working as Superintendent, District Jail, Anantapur willfully not reported to duty after relief at State Institute of Correctional Administration, Hyderabad on 07-11-2008 A.N. and availed Public Holidays without prior permission from any competent authority. It amounts to unauthorized absence from duty and misconduct as well as violation of Rule 41 (3) of A.P.Prison Rules, 1979, Rule-3 of A.P.Civil Services (Conduct) Rules, 1964 and Head Office Circular Memo No.567/SB2/2004,dt. 17-03-1999.

2. After conducting a detailed enquiry under APCS (CC&A) Rules, 1991, the Director General of Prisons and Correctional Services, A.P., Hyderabad vide reference 1st read above awarded the following punishment to Sri.B.Laxminarasaiah, the then Superintendent, District Jail, Anantapur.

“Postponement of his increment for the period of two years with cumulative effect on future increments and pension and suspension period is treated as not duty.”

3. Aggrieved by the said punishment, the individual filed an appeal petition to the Government which was examined and rejected vide reference 2nd read above.

4. In the reference 3rd read above, the Director General & Inspector General of Prisons & Correctional Services, Andhra Pradesh, Hyderabad, forwarded the Revision petition filed by Sri B.Laxminarasaiah, the then Superintendent, District Jail, Anantapur, presently working at District Sub Jails Office, Guntur.

5. Government on perusal of his representation and the records made available, have observed from the evidence adduced during the detailed enquiry that he was not informed about the shifting the UT Prisoner Om Prakash to Yamuna Barrack. From the report of the EO it is clear that he was not aware of the presence of the Dumbbell in the Barrack. The incident took place when he went to Training for one week and did not resume his duties due to the ill health of his son. To this fact also the EO has given credence. Keeping all these facts and circumstances in view, the Government have decided to set aside the punishment.

6. Accordingly, the Government hereby set aside the punishment of “Postponement of his increment for the period of two years with cumulative effect on future increments and pension and suspension period treated as not duty.” imposed by the Director General of Prisons and Correctional Services, A.P., Hyderabad, vide reference 1st read above treating the period of suspension as On duty.

7. The Director General of Prisons and Correctional Services, AP, Hyderabad, shall take further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**PRABHAKAR D.THOMAS
SPECIAL CHIEF SECRETARY TO GOVERNMENT**

To
The Director General of Prisons & Correctional Services, AP, Hyderabad,
The individual through the Director General of Prisons & Correctional
Services, AP, Hyderabad.
SC/SF

//FORWARDED::BY ORDER//

SECTION OFFICER